

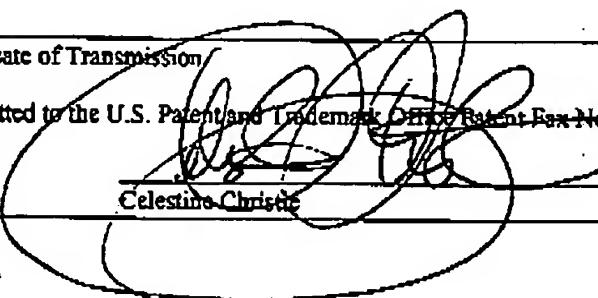
MAY 10 2005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Application No.** 10/089,534**Group Art Unit:** 1651**Applicant(s):** Ubaldo Armato, et al.**Examiner:** David M. Naff**Filing Date:** February 28, 2002**Docket No.** 58009-010600**Title:** BIO-ARTIFICIAL SUBSTRATE  
FOR THE PRODUCTION OF ANIMAL  
AND, IN PARTICULAR, HUMAN  
TISSUES AND ORGANS**Customer No.** 33717

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May 10, 2005	Date

  
Celestino Christie

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO RESTRICTION/ELECTION REQUIREMENT**

Dear Sir:

This response is being submitted in reply to the communication of April 20, 2005 which includes an election requirement. This response is being timely filed within the shortened 30-day statutory period for response expiring on May 20, 2005 and accordingly no fee is due.

Claims 1-18 are currently pending in the above-identified application and, pending the outcome of the traverse of the election requirement, are still under consideration.

LA-FS1\337248v01\58009.010600

Appl. No. 10/089,534  
Amtd. dated April 25, 2005  
Reply to Office Action of April 20, 2005

Docket No. 58009-010600

*The Election Requirement*

The species election requirement states that the following species of the claimed invention are distinct:

Group I: Claims 13, 14 and 16-25, drawn to a method of forming tissue on a bio-membrane including crystalline beta-form fibroin.

Group II: Claims 15 and 26, drawn to a method for production of substrate by a method that involves using lithium bromide, a porous ceramic filter, a membrane with a 3500 molecular weight cut-off, polystyrene containers and methanol.

*Response to Election Requirement*

Responsive to the Office Action mailed March 30, 2005, kindly enter the following provisional election: Applicants provisionally elect Group I, with traverse. Claims that are readable upon provisionally elected species or embodiments of Group I include Claims 13, 14 and 16-25.

The Election Requirement is traversed in the following grounds:

The requirement for election by the Examiner is respectfully traversed because of the relationship between the species or embodiments of Group I and Group II. A search of the claims read upon provisionally elected species or embodiments of Group I, drawn to a method for forming tissue on a bio-membrane, will necessarily encompass a search relating to species or embodiments of Group II, drawn to a method of producing the bio-membrane.

Furthermore, the Examiner's request will impose an unnecessary burden, not only on the Applicant but also the public, as it would require multiple patents to cover the technology of the claims of the invention. Therefore, Applicant respectfully requests that the election requirement be withdrawn and that all claims be examined together in the pending application.

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Applicant has complied with all requirements made in the above referenced communication. Accordingly, examination of this application on the merits is respectfully requested. Should matters remain which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone Applicants' undersigned agent.

Respectfully submitted,

Date: May 10, 2005

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